HON'BLE SRI JUSTICE BILAL NAZKI
AND
HON'BLE SRI JUSTICE S. ANANDA REDDY

WRIT PETITION No.27175 of 2006

Date: 28-06-2007.

Between :

M/s.Jyothi Dairy Pvt. Ltd., Hyderabad,
rep. by its Managing Djirector.

.....Petitioner

And

The Commercial Tax Officer, Jeedimetla Circle, Ranga Reddy District & another.

.....Respondents.

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ORDER : (Per Hon'ble Sri Justice Bilal Nazki)

Heard learned counsel for the parties.

The revisional authority was seized of the matter when similar matter was pending before the Tribunal. Therefore, the petitioner moved an application before the revisional authority in terms of Section 20(2-A) of the Andhra Pradesh General Sales Tax Act, 1957, seeking deferment of the decision by the revisional authority, which has been rejected. Such questions have been addressed by this Court earlier also and it is not disputed that the questions involved in the revision are similar to the questions which were pending before the Tribunal in case of the same assessee. Therefore, following the earlier judgments of this Court, we set aside the order passed in revision and restore the revision, which shall, however, remain pending till the issue is decided by the Tribunal. If the revisional authority feels it proper to decide the revision on merits after the matter is decided by the

Tribunal, the petitioner shall not take the plea of limitation.

Writ petition is accordingly allowed.

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BILAL NAZKI, J

28th June 2007

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S. ANANDA REDDY, J

ajr